



Legislative Department Seattle City Council Memorandum

Date: September 20, 2010

To: Parks & Seattle Center (P&SC) Committee

From: Sara Belz, Legislative Analyst, Council Central Staff

Subject: **Council Bill (CB) 116975 – Surveillance cameras in City parks**

On September 23, 2010, the P&SC Committee will discuss CB 116975, which is Council-generated legislation related to the placement of surveillance cameras in City parks. A copy of CB 116975 and its accompanying fiscal note are attached to this memorandum. If adopted, the legislation would amend Chapter 18.14 of the Seattle Municipal Code (SMC) to terminate the surveillance camera program in Cal Anderson Park. It would also address a similar surveillance program that is currently underway along 23rd Avenue at the Garfield Community Center/Medgar Evers Pool and require those cameras to be brought into compliance with the protocol the City Council developed in 2008 to govern the use of the Cal Anderson Park cameras.

The P&SC Committee previously discussed the topic of parks surveillance cameras at its March 18, May 20, and July 15, 2010, meetings. The Committee also hosted a public hearing on the matter at its May 3, 2010, meeting at the Miller Community Center.

Background

In June 2008, the City Council passed Ordinance 122705, which authorized a pilot program to place surveillance cameras in selected City parks. Ordinance 122705 also established a fairly restrictive City protocol to govern the installation and use of the cameras for the duration of the program's pilot phase. Some of the key components of the protocol are summarized below:

- Assigns responsibility for the ownership and use of the cameras to the following City departments:
 - Department of Information Technology (DoIT): Ownership and maintenance of the cameras.
 - Seattle Police Department (SPD): Operation of the cameras.
 - Department of Parks and Recreation (DPR): Ownership of the recorded video footage obtained by the cameras.
- Requires the cameras to operate in passive mode 24 hours per day.
- Limits the authority to use the cameras for live monitoring to SPD personnel. SPD staff may engage in live monitoring under the following circumstances only:

- When SPD has a reasonable suspicion that a crime may be in progress within the area visible from an installed camera;
 - To conduct investigations of suspected ongoing criminal activities occurring in areas that may be viewed by an installed camera;
 - During a state of emergency declared by the Mayor; or
 - For system training, testing, maintenance or repair (also applies to staff from DoIT.)
- Requires City staff to maintain a log that records the date, time, and duration of all live monitoring and any recorded footage that is viewed.
 - Permits authorized City staff to view or duplicate recorded footage obtained by the cameras under the following circumstances only:
 - To comply with a court order, the Washington Public Records Act, discovery requirements in a legal proceeding or other applicable law;
 - As part of a criminal, civil, or administrative investigation;
 - To evaluate the footage for possible use in a criminal, civil or administrative legal proceeding in which the City is, or is reasonably expected to become, a party; and
 - For system training, testing, maintenance or repair.
 - Establishes a two-week retention schedule for all recorded footage obtained by the cameras that is never viewed.
 - Requires DPR to notify the public about the installation of the cameras via posted signs and at least one community meeting.

As a part of the pilot program, which concluded in late January 2010, three surveillance cameras were installed in Cal Anderson Park. In 2009, at the request of Mayor Nickels' office, three similar cameras were installed along 23rd Avenue near the Garfield Community Center/Medgar Evers Pool. Although the Garfield cameras were not part of the pilot program, SPD was directed to operate those cameras consistent with the protocol that was established for the pilot program. The monitors for both sets of cameras are located in the 911 Center at the Seattle Police Department's (SPD) West Precinct.

Summary of Legislation

CB 116975 would make the following amendments to SMC 18.14, which details the City's policies regarding the installation and use of surveillance cameras in City parks:

- Direct DoIT to remove the Cal Anderson Park cameras by no later than January 1, 2011.
- Require the cameras at the Garfield Community Center/Medgar Evers Pool to be brought into compliance with SMC 18.14.
- Limit the use of parks surveillance cameras to 23rd Avenue at the Garfield Community Center/Medgar Evers Pool only. Require additional ordinance

authority to install cameras in other City parks or to install more cameras at the Garfield Community Center/Medgar Evers Pool.

- Direct SPD to develop baseline settings for each camera and provide the P&SC Committee with a description of each camera's baseline setting. ("Baseline setting" is defined as the position a camera is placed in whenever it is used for passive monitoring.) The baseline settings established for individual cameras may include placing the camera in panning mode.
- Require DPR to install at least one sign within 20 feet of each camera. The signs must be legible from a distance of 20 feet.
- Establish a retention schedule for the video viewing logs maintained by SPD.
- Require SPD and DPR to submit an annual report to the Council on the outcomes of the surveillance camera program.
- Implement administrative edits to SMC 18.14.

Next Steps

If the Committee does not take action on CB 116975 at the September 23, 2010, P&SC meeting, the Committee's next opportunity to vote will likely be in late November or early December.

Please feel free to contact me at any time if you have questions about the content of this memorandum or CB 116975 (sara.belz@seattle.gov / 4-5382).